

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK KENNEDY

v.

TABB BICKELL, et al.

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CIVIL ACTION

NO. 11-7812

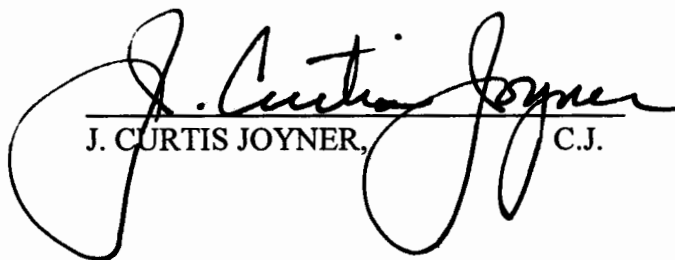
ORDER

AND NOW, this th18 day of October, 2012, upon consideration of the pleadings and record herein, and after review of the Report and Recommendation of Magistrate Judge Thomas J. Rueter, it is hereby

ORDERED

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DISMISSED** without prejudice; and
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:


J. CURTIS JOYNER, C.J.